

# TEMPORARY

AMENDED

NO. 69080-T

## APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 15 2002  
Returned to applicant for correction SEP 12 2002  
Corrected application filed SEP 19 2002  
Map filed SEP 19 2002

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The applicant **CITY OF FERNLEY (formerly TOWN OF FERNLEY)**, hereby makeS application for permission to change the **Place of Use and Manner of Use of a Portion** of water heretofore appropriated under **United States of America v. Orr Water Ditch Co. in Equity No. A.3, Claim No. 3 (Permit 53894)**

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1. The source of water is **Truckee River**
2. The amount of water to be changed **0.25 cfs**
3. The water to be used for **Dust Mitigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **Derby Dam in the N¼ of the SW¼ of Section 19, T.20N., R.23E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **Same as No. 5 above**
7. Proposed place of use **See Attachment A (All gravel roads located within City water service boundary)**
8. Existing place of use **See Attachment B (approximately 164 acres within the Desert Lakes Golf Course)**
9. Use will be from **May 1 to November 30** of each year.
10. Use was permitted from **as decreed**.
11. Description of proposed works. **Existing check structure, pond, construction pump and piping**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **Completed check structure and pond**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **The total annual consumptive use for dust mitigation on City gravel roads is estimated to be approximately 30 AFA based on 45,500 gallons/day over 215 days.**

By **Martin Ugalde - City Engineer**  
**s/Martin Ugalde (Cert. No. 1036)**  
**P. O. Box 9**  
**Fernley, Nevada 89408**

Compared dl/dr lb/ cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the place and manner of use of a portion of the waters of the Truckee and Carson Rivers as set forth under Permit 53894 which changed the place of use of a portion the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **but not to exceed 30 acre feet as decreed.**

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **23th** day of **May**, A.D. **2003**

  
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State Engineer

TEMPORARY

**EXPIRED**  
**DATE** NOV 15 2003 *unt*

ATTACHMENT A(PROPOSED PLACE OF USE)

T20N, R24E, M.D.B.&M.

Portion of Sections 9 and 10, Sections 11, 12, 13, 14 and 15;  
 Portion of Sections 16, 17 and 20, Sections 21, 22, 23, 24, 25, 26, 27 and 28;  
 Portion of Sections 29, 30 and 31, Sections 32, 33, 34, 35 and 36.

T20N, R25E, M.D.B.&M.

Sections 1, 2 and 3; Portion of Sections 4 and 5, Sections 7 through 36.

T20N, R26E, M.D.B.&M.

Portion of Section 5, Sections 6 and 7;  
 Portion of Sections 8 and 17, Sections 18 and 19;  
 Portion of Sections 20 and 29, Sections 30 and 31; Portion of Section 32.

T21N, R25E, M.D.B.&M.

Portion of Sections 13, 23 and 24, Section 25;  
 Portion of Sections 26, 27, 28 and 33, Sections 34, 35 and 36.

T21N, R26E, M.D.B.&M.

Portion of Sections 5, 7 and 8, Section 17;  
 Portion of Sections 18, Sections 19, 20, 29, 30, 31 and 32.

T22N, R26E, M.D.B.&M.

Portion of Sections 28, 32 and 33.

T19N, R26E, M.D.B.&M.

Portion of Sections 5 and 8, Sections 6 and 7.

T19N, R25E, M.D.B.&M.

All of Sections 1 through 36.

T19N, R24E, M.D.B.&M.

Sections 1, 2, 3, 4 and 5;  
 Portion of Section 6, Sections 7 through 36.

T19N, R23E, M.D.B.&M.

Portion of Sections 1, 12, 13, 14 and 23, Sections 24 and 25;  
 Portion of Sections 26, 27 and 34, Sections 35 and 36.

ATTACHMENT B

(EXISTING PLACE OF USE)

Township 20 North, Range 25 East, M.D.B.&M.

<u>Section</u>	<u>Subdivision</u>	<u>Acreage</u>
22	NE 1/4, NE 1/4	16.75
22	SE 1/4, NE 1/4	18.49
22	NE 1/4, SE 1/4	15.10
23	NW 1/4, NE 1/4	0.89
23	SW 1/4, NE 1/4	15.61
23	NE 1/4, NW 1/4	0.08
23	NW 1/4, NW 1/4	3.30
23	SW 1/4, NW 1/4	26.98
23	SE 1/4, NW 1/4	19.51
23	NE 1/4, SW 1/4	10.44
23	NW 1/4, SW 1/4	15.67
23	SE 1/4, SW 1/4	0.15
23	NW 1/4, SE 1/4	16.21
23	SW 1/4, SE 1/4	4.82
<b>TOTAL =</b>		<b>164.00 ACRES</b>